



U.S. Department of Justice

*United States Attorney
Southern District of New York*

MEMO ENDORSED

*86 Chambers Street, 3rd floor
New York, New York 10007*

May 16, 2011

BY HAND DELIVERY

The Honorable Kenneth M. Karas
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, NY 10601-4150

Re: Hugo DeMarco v. Bank of America, N.A., et al., No. 10-cv-4167 (NRB)

Dear Judge Karas:

This Office represents the United States Department of Housing and Urban Development ("HUD") in the above-referenced matter. A status conference in this matter is scheduled for tomorrow, May 17, at 12:00 p.m.

Due to a conflict with witness preparation for a trial scheduled to begin Monday, May 23, we respectfully request the Court's permission to appear at the conference by telephone. Plaintiff and co-defendant Bank of America consent to this request. As the parties discussed at the previous conference before the Court, HUD is a defendant to this action due to its status as the second mortgage holder; however, HUD did not take part in any of the conduct that Plaintiff claims was fraudulent or otherwise improper. Furthermore, HUD will consent to any proposed discovery schedule agreed upon by plaintiff and co-defendant.

We thank the Court for its consideration of this request.

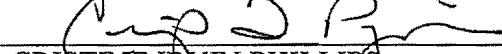
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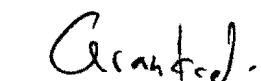
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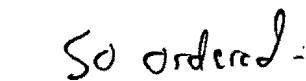
Very truly yours,

PREET BHARARA
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By:


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Cristine Irvin Phillips


So ordered:


K. M. Karas
5/17/11